

HAMILTON COUNTY BOARD OF COMMISSIONERS

FEBRUARY 24, 2003

The Hamilton County Board of Commissioners met on Monday, February 24, 2003 in the Commissioner's Courtroom in the Hamilton County Judicial Center, One Hamilton County Square, Noblesville, Indiana. The Commissioners met in Executive Session at 12:45 p.m. The public session was called to order by President Steven A. Holt. A quorum was declared present of Commissioner Christine Altman, Commissioner Steven C. Dillinger and Commissioner Steven A. Holt. The Pledge of Allegiance was recited.

Approval of Minutes: (1:40:24)

Altman motioned to approve the minutes of February 10, 2003. Holt seconded. Motion carried. Dillinger abstained.

Executive Session Memoranda:

Dillinger motioned to approve the Executive Session Memoranda of February 24, 2003. Altman seconded. Motion carried unanimously.

Bid Opening (1:40:53)

Sheriff's Gasoline Annual Bid:

Mr. Mike Howard opened the bids for the Sheriff's Gasoline Annual Bid. Form 96 was included unless otherwise specified. 1) Hamilton County Co-op - Rack price - \$1.16 + .19 for a total of \$168,750.00. 2) Petroleum Traders - \$1.3377 for a total of \$167,225.00. Mr. Howard recommended the bids be forwarded to the Sheriff's Department for review and recommendation at the next meeting. Altman motioned to approve. Dillinger seconded. Motion carried unanimously.

Plat Approval (1:43:37)

Centennial, Section 8A:

Mr. Steven Broermann presented the plat for Centennial, Section 8A for approval. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Highway Director: (1:44:11)

Holt stated the offer letter of January 15, 2003 with regard to Brad Davis as the incoming Director for the Highway Department has been accepted by Mr. Davis. Altman motioned to appoint Brad Davis to the position of Highway Director pursuant to the offer letter of January 15, 2003. Dillinger seconded. Motion carried unanimously. Holt thanked Mr. Stevens for his efforts for spearheading the search, interview process and recommendation to fill this position.

Highway Business (1:45:47)

Acceptance of Bonds and Letters of Credit - Highway Department:

Mr. Jim Neal requested acceptance of Bonds and Letters of Credit for the Highway Department. 1) HCHD# B-03-0011 - Massachusetts Bay Insurance Company Performance and Payment Bond No. BC11694475 issued on behalf of Bridlebourne Development Company in the sum of

\$15,000 to expire February 7, 2004. Altman motioned to approve. Dillinger seconded. Motion carried unanimously.

Agreements (1:46:58)

Utility Agreements Bridge #73, 256th Street over Long Branch Creek:
Mr. Neal requested approval Utility Agreement, HCHD #M-03-0007, with Cinergy for Bridge #73, 256th Street over Long Branch Creek. Dillinger motioned to approve. Altman seconded. Motion carried unanimously. Mr. Neal requested approval of a Utility Agreement, HCHD #M-03-0008, with Verizon for Bridge #73, 256th Street over Long Branch Creek. Dillinger motioned to approve. Altman seconded. Altman

asked that we use our standard forms for these agreements. Motion carried unanimously.

Bridge #88, Lacey Road over Long Branch Creek:
Mr. Neal requested approval of Utility Agreement, HCHD #M-03-0006, with Cinergy for Bridge #88, Lacey Road over Long Branch Creek. Altman motioned to approve. Dillinger seconded. Motion carried unanimously. Mr. Neal requested approval of Utility Agreement, HCHD #M-03-0009, with Verizon for Bridge #88, Lacey Road over Long Branch Creek. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Subdivision Inspection Agreements (1:47:30)

Village of West Clay, Sections AG01 and AG02:
Mr. Neal requested approval of Subdivision Inspection Agreement, HCHD #A-03-0001, for Village of West Clay, Sections AG01 and AG02 between Brenwick TND Communities, LLC and Hamilton County and USI Consultants. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Acceptance of Streets (1:47:57)

Scarborough Farms Subdivision:
Mr. Neal requested acceptance of streets for the Scarborough Farms Subdivision, north of 146th Street/west of Cherry Tree Road in Noblesville Township. This is for 0.05 miles of Scarborough Lane. Dillinger motioned to approve. Holt seconded. Motion carried unanimously.

Regulatory Signs

Scarborough Farms Lane:
Mr. Neal requested approval of the official action to install regulatory signs for Scarborough Lane. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Correspondence (1:49:07)

Snow Removal - Northbound Ramp from SR 431 to 146th Street:
Mr. Neal requested approval of a letter to INDOT in regards to snow removal on the northbound ramp from SR 431 to 146th Street. With our interlocal with the State there is still a segment of the ramp which still falls within the State's jurisdiction. The State has requested we continue to plow that as we are plowing the north end of the ramp. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Condemnation of Parcel (1:50:14)

Bridge #175 - Parcel #4:

Mr. Neal requested permission to proceed with condemnation of Parcel #04 for Bridge #175, 146th Street over Mud Creek in Fall Creek Township. The parcel is owned by Mark & Dawn McAlister and we are requesting condemnation of .02 acres +/- of permanent acres and .02 acres +/- of temporary right of way. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Bid Award - Bridges #73 & #88: (1:50:31)

Mr. Neal recommended the bid for replacement of Bridges #73 & #88 be awarded to Schutt-Lookabill in the amount of \$667,957.23. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Bridge #262 Title Sheet:

Mr. Neal requested approval and signatures on the Title Sheet for Bridge #262, Fall Creek Road over Geist Reservoir. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

146th Street Extension Project:

Mr. Neal presented proposals on possible ways to break down the professional services for the 146th Street Extension Project. Holt stated that study was done on his request in an attempt to build both a sense of competition and efficiency into the proposed 146th Street project. Holt commended Mr. Neal on the nice job and he encouraged the fellow commissioners to direct the Highway Department to move forward so he can bring recommendations to the next meeting. Altman asked to review the letter.

Mail Box/Post Policy (1:54:07)

Mr. Tom Stevens stated Commissioner Holt has requested to discuss the mail box/post policy. Holt stated he has only received one phone call during this snow season from a resident that had a mailbox that is not a standard mailbox and our policy has been that if we knock a mailbox over that we will replace it with a standard mailbox. If someone had the large size, we would replace it with the standard size. If someone had a Rubbermaid, we would replace it with a standard size. If someone lived in a neighborhood that had covenants that required a specific mailbox, we would still replace it with a standard size aluminum box on a 4x4 wooden post. Mr. Stevens stated we do replace with standard boxes in the size of the box that was damaged. We do use a standard mailbox, normally black in color and put it on a mailbox stand. With the ground frozen right now, we do set posts up temporarily until we can get a post in the ground. Holt stated the resident he received a call from has a Rubbermaid mailbox and it has a place for the newspaper and she likes those mailboxes. She has said she is willing to replace the mailbox herself, she would just like the amount of money spent to do it and she will take care of it. Holt stated that does not seem like an unreasonable request. Holt asked if the Board would consider replacement or reimburse at "X" amount? Mr. Stevens stated this has been discussed before and it has always been his recommendation that if someone selects to use a Rubbermaid mailbox that it should not be a public liability. Rubbermaid will not guarantee their mailboxes. When it gets cold they are extremely brittle shatter easily. Altman asked if the Highway Department would

not reimburse or replace for a Rubbermaid? Mr. Stevens stated the current policy is that if they have a Rubbermaid mailbox that is damaged we will replace it with a standard mailbox of equal size. (1:57:57) Dillinger motioned that we either continue to replace the mailboxes under our current policy or allow that homeowner the amount that we would have spent on that and let them do it themselves with whatever they want to. Altman seconded. Altman suggested that we revisit the policy in a year. Mr. Stevens asked if we are to reimburse we would do so through the claims process, would you like to have a specific claim form developed to accompany that usage? Altman suggested copying the current claim form with a pre-printed message in it that says reimbursement of mailbox at standard allowed rate and fill in the dollar amount in. They will just have to sign off and resubmit the form. Mr. Howard asked if you would want an underlying form behind it with the name, address and in receipt of that they waive all future liability to the county. They will sign off on the claim and the form. Mr. Stevens stated he has developed a form that all residents can use if a mailbox was damaged and asking the homeowners to sign stating that they have reason to believe the highway department is responsible for the damage to their mailbox. We are not using those forms right now. We are responding to calls and if they are in our district, on a road that we plow, we fix it. Holt asked if that is satisfactory? Mr. Stevens stated he thinks it is, when we are doing the work, if we are cutting a check he does not know that it would be. There is a great deal of abuse of what our current policy is and if they are going to get money in pocket that it would expand the percentage of people taking advantage of the system. Mr. Howard asked if Mr. Stevens would anticipate somebody going out to at least make sure the mailbox is down before we process the claim? Altman stated in order to receive any payment from the county you will have to sign a voucher form that you certify that it is true and accurate and you are entitled to the compensation, perhaps you could draft appropriate language that they certify that it happened and they are entitled to reimbursement. Holt stated we should look at the details at the next meeting. Holt asked Mike, Robin, Tom and Brad to work on that. Mr. Stevens stated there is validity to have someone sign a statement. Altman motioned to table. Dillinger seconded. Motion carried unanimously.

Holt called a break. Holt called the meeting back to order at 2:22:50.

146th Street Extension Project Continued:

Altman asked Mr. Neal what would be the first stage of the 146th Street Extension Project contract? Mr. Neal stated as laid out Agreement #1 would be the first, with Agreements #2 and #3 to lag behind probably 60 to 90 days. Altman asked if there is enough money in the current budget for Agreement #1? Mr. Neal stated he thought so, to get started. Altman stated she has spoken with ACE, if we are going to go with this the first thing would be to set up all the lines with survey. Altman stated she does not want to release all of Contract #1 until we know where we are for funding. Survey would be the first thing we do. Holt stated his preference would be to get recommendations across the board, we are not going to spend money on a survey on a project we are not going to build. The time line may be fuzzy. If we spend one dime, it is a commitment we are moving forward. Mr. Stevens stated this direction will allow us to go through the selection of consultants and negotiate the agreements. Even if those agreements are not yet funded, we can still make headway towards the completion of the final project. Altman asked if you can realistically negotiate a contract when you can't give them a reasonable time of notice to proceed? Mr. Stevens stated yes we can, that is not a problem. Dillinger stated we have always done that. Mr. Stevens stated we can't award those agreements. Dillinger motioned to direct the highway department to move forward based on the Jim Neal letter. Holt seconded. Mr. Neal

asked if the Commissioners want him to come back with proposals for everything except for construction inspection? Holt stated that is what he basically recommended in the letter. Dillinger and Holt approved. Altman abstained. Motion carries.

Vacation of Right-of-Way Public Hearing (2:26:32)

Ordinance 2-24-03-B, Vacation of Right of Way for Kerry Graham:
Mr. Mike Howard presented Ordinance 2-24-03-B, Vacating Certain Public Rights of Way for Kerry Graham. This concerns a very small parcel of property in Hortonville. The Graham's own the property both north and south of this parcel. This parcel of right of way is presently being used as their yard. They need the parcel for a building permit. The highway department does not see a future use for this parcel. Altman asked if the property on the right is not a current road? Mr. Howard stated the continuation is an alley, which is not used for egress. Dillinger motioned to suspend the rules on Ordinance 2-24-03-B. Altman seconded. Motion carried unanimously. Dillinger motioned to approve Ordinance 2-24-03-B on first reading. Altman seconded. Motion carried unanimously.

Architect for Animal Shelter: (2:29:12)

Mr. Larry Dawson stated proposals were requested for a project to be done by Hamilton County for the design of an animal control shelter. We received responses from Cripe, DLZ and Schneider. We requested fees on that project if it was designed as \$2 million hard costs and \$500,000 soft costs. There are additional portions to the project, once we have a design firm we will try to figure out where the additional money will come from to do everything that the Humane Society is interested in doing. The first step is for the Commissioners to select a design firm. Dillinger motioned to take the recommendation of Envoy, Inc. and appoint Cripe. Altman seconded. Altman stated she has discussed this project with Larry as to where we are in terms of what the county envisions and if we continue to work with the Humane Society and what they envision. She does not think we have done much to proceed in terms of working committee to come up with if it will be a lease arrangement on the facility, who would contribute what funds, etc. She understands that Larry wants to have the designer involved in the process and that is probably appropriate as long as we don't burn up a bunch of design time. Altman stated she wants to make sure that we have concretely determined what our role will be and what the Humane Society's role will be and who is going to put in what money. Mr. Dawson stated they have received the consultant's report back and their recommendation is not far off of where this committee started in what the square footage needs and approximate dollar needs were, if both sides do what they intended to do. Our first step would not be design, but would be taking all the members of the team and doing strategic planning to make sure we know where we are going, the size of the project, what is the county's portion and the Humane Society's portion. Right now all we know is what money the county has committed to it. We need to do a lot of work with the Humane Society so we all arrive at a project that we can explain to the commissioners and be ready to go with. Altman asked how do we proceed in doing that? Holt stated he is the Commissioner's liaison with the Humane Society and animal control, he presumes he would be a member of that committee as it moves forward. He concurs with her 100% in getting our arms around how we are going to do this, which we can do. It does make sense to have an architect on board before we move forward. Motion carried unanimously.

Juvenile Detention Center: (2:34:19)

Dillinger asked Mr. Dawson for an update on the Juvenile Detention Center project. Mr. Dawson stated since the last presentation to the Commissioners there were several questions on the components of that project and if they were going to be at the corrections site or maintained downtown? The judges have met on that and have issued a letter stating their case and their thoughts. Captain Dan Stevens stated the briefing that we gave to Commissioner Holt subsequent to the Criminal Justice Taskforce Briefing identified some issues. Those issues were discussed and the judges came to a consensus regarding many of those issues on the priority of the items identified and the concerns expressed by Commissioner Holt. We can not proceed to Council until we get the Commissioners to endorse the scope of the project. Mr. Dawson suggested a work session to try to reach a consensus. Dillinger asked Holt if his concerns have been addressed? Holt stated he has had a chance to express his concerns and the judges have responded to those. The abbreviated taskforce have responded and we have met with a representative from Probation. He is more comfortable than what he was, particularly if we can make a couple of the shifts we discussed. Holt stated he would concur that a work session would be appropriate. Holt asked if Dillinger would let Mr. Swift schedule a work session? Dillinger stated yes. Altman stated she has reviewed the design and has met with RQAW about some of the reasoning. We need to sit down and get a better grasp on the scope of the project in terms of who is where, including long term planning on this building and then move to Council. Dillinger stated he will coordinate a time and let Mr. Swift know. Ms. Mills asked the Commissioners to notify her staff for advertising purposes.

Commissioner's Agenda: (2:38:08)

Altman stated she would feel more comfortable with the agenda, depending on consultants schedules, to put them at the front of the agenda unless there is a compelling reason otherwise to save their time for billing.

Insurance (2:39:03)

Employee Benefit Plan Fiduciary Policy Renewal:
Ms. Sheena Randall requested approval and signature on the renewal for the Hamilton County Employee Benefit Plan Fiduciary Policy with Walker and Associates. The premiums are \$900.00 annually. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

(2:39:53)

Section 125 Flexible Spending Account Proposal:
Mr. Jeff Fox, Nyhart, presented information on the Section 125 Flexible Spending Account. Altman stated she has reviewed the documentation and has some questions on what we might do to protect the county in certain circumstances and whether it is permissible under this type of plan? Mr. Fox stated you have to make the money up front available. Altman stated on your handout you indicated on child care benefits you can only spend what they have withheld, on the medical they can spend what they have allocated whether they have accrued that and withheld that. Mr. Fox stated that is correct. Altman asked if you lose your qualification under this plan if we have a repayment situation? Mr. Fox stated you can not go after that money, there is no way to mitigate your liability for that. During the first year some employers limit the amount of money that is available under the flexible spend account for medical reimbursement. Mr. Fox suggested a \$2,000 to \$3,000 limit. You know the most you would get hit with, if someone left is

\$3,000. Then the next year you can assess what has happened and perhaps increase it. Altman asked if the fall back money is when employees don't spend their plan down, do you have a history at other similar size entities of what that dollar amount might be? Mr. Fox stated he does not have the dollar amount, he could give an average. Altman stated she would anticipate limiting our exposure for the first year and we could create a fund to cover our exposure on subsequent years to use the fall back money. Do you have an idea of what percentage does not get spent down? Mr. Fox stated he does not, he suspects very little. During enrollment meetings he makes it a practice to counsel the employees to be very conservative about their elections. We don't want them to lose that money. Altman asked if you have analyzed from other employers what percentage of employees leave and let the employer hold the bag on benefits? Mr. Fox stated he does not know the number of that, he does not think it is significant. Ms. Randall stated our turnover rate is very low. Mr. Fox stated it is perceived as a very good benefit from the employees, once they learn how the plan works. The biggest obstacle is getting the employees to understand how it works and how it benefits them. It becomes a very inexpensive benefit. Ms. Randall stated the deductibles are pre-tax and the county does gain 7.65% of the matching FICA and Medicare on those gross wages. (2:45:23) Holt motioned to adopt the flexible benefit program and put a cap of \$2,000 on medical for the first year to determine what our experience is. Altman seconded. Dillinger stated he has been involved with these for years and they rarely have worked out real well. There was a lot of corporations that get stuck with the money and a lot depends on what kind of turnover and participation we have. Altman stated with our turnover rate and the limit she is willing to roll the dice on the program, especially with our younger workers with child care needs. This would be a huge benefit as an employee. Ms. Randall asked for clarification on the motion, Holt addressed it as medical - would it be extended for eye care and dental? Holt stated he assumed it included all medical procedures. Mr. Fox stated on the dependent care they can only spend what they have in the plan. Typically the maximum on that is \$5,000. Holt stated he assumed the medical included braces, laser surgery and whatever else. Holt asked on the child care are you suggesting a cap on it as well? Mr. Fox stated the IRS has a cap of \$5,000. Altman stated that is child care, not dependent care. You have three different coverages, employee medical, dependent medical and child care. Mr. Fox stated there are three buckets, medical - which you are already dealing with, dependent care expenses and unreimbursed medical ie: vision, medical and dental. Mr. Fox suggested having a \$2,000 cap on medical and a \$5,000 cap on dependent care. The other one is already done. Holt accepted the amendment to his motion. The motion reads a cap of \$2,000 on medical in the broad term and \$5,000 on dependent care. Ms. Randall stated you will need to discuss funding. This needs to be its own separate account. Is it your desire to go to the County Council and ask for an additional appropriation? You will have to fund the enrollment, administrative fees and fund the total enrollment up front. Are you interested in transferring the funds from our current trust or go for an additional appropriation? Altman stated it would be appropriate for council to fund it separately so if they have strong overriding concerns we don't lose the program next year during the budgeting process. Altman stated she would make that motion subject to an additional appropriation for the separate funding. Mr. Howard asked are you going to know how many people enroll and what the potential liability is and then is there a time frame so that enrollment will be contingent on funding and there would be a time frame before the council can fund it? During this enrollment period it will let council know how much the appropriation should be. Mr. Fox stated they will keep track of all of that. Mr. Howard stated the employees need to know it is not a done deal unless the council funds it, is it workable within the time frame of the law?

Altman stated the council could allow open enrollment up to a certain date for a specific fund amount and appropriate that so we don't go through an enrollment process. We need tacit approval by council before we begin the enrollment process. Mr. Fox stated he would suggest that would be the case. We can show them what their maximum liability would be if everybody enrolled in the program. We will keep track of how much everybody puts in the program, how much they spend, we do the adjudication of the claims and the whole process. He would get the approval first. Ms. Randall asked if this benefit is for only for full-time employees? Altman asked if you could have child care for part-time? Mr. Fox stated if they receive a paycheck you can put them under the program? Altman asked if you can bifurcate the child care from medical? Mr. Fox asked if you can have separate availability? Mr. Fox stated he would suspect you could. Ms. Randall stated she would worry that the Auditor's payroll staff would have to verify that those employees would have enough hours and gross wage to cover. Ms. Mills stated she would like the commitment of the Commissioners to go with her to the Personnel Committee and let them know she will need another full-time employee. Mr. Fox stated they will handle the administration. From the payroll standpoint, it is a one time slot so it is a pre-tax allocation. On a day to day basis we will keep track of it, it should not be a day to day function for the payroll department. Dillinger told Ms. Mills once the deductions are set up, he does not think it is an ongoing problem for her. Setting it up might be. Ms. Randall stated the employees are not allowed to change their deductions once they enroll, unless they have a life style change. Dillinger stated this is not unlike any of our other programs. Holt stated have a motion on the table, without a second, that this be done subject to council approval and funding. Is there any estimate of costs for a 600 member staff in terms of percentage of participation that would give us some feel for first year costs? Mr. Fox stated it depends on percentage of participation. There would be FICA savings, it is actually a payroll deduction. Holt stated other than the exposure of someone walking on us, we are talking about approximately \$6,000 a year. Mr. Howard stated we would have to appropriate the \$2,000 per employee. If you have 60 employees, you would have to have \$120,000 in the bucket up front to fund it, then it starts funding itself. Mr. Fox stated you don't have to fund it up front, you have to be prepared for a worse case scenario, which he has never seen. The chances of that happening is so remote. Holt declared Altman's motion dead due to lack of a second. Holt motioned that on one year we do this out of the insurance trust, we are talking less than \$6,000 up front. Altman stated if that trust could be used for child care. Holt stated the child care gets deducted from payroll. Altman stated she does not have a problem with that, but we should present it to council and explain our reasoning and this is how we are funding it the first year and then we will make it a budgetary item. Altman asked how tight are we on that trust fund? Ms. Randall stated we are pretty tight right now, we have approximately \$1.2 million. In the past we had in excess of more than \$2 million as a cushion. Altman stated her only concern is that if we get disapproval from council and we spend time doing an enrollment and then we have to withdraw. Altman seconded. Motion carried unanimously. Ms. Randall asked is that money should be in the trust, but make it a separate account so we can track this more accurately? Holt stated he presumes the bills submitted would be tracked. Ms. Randall asked if she should go through Metro Bank to set up another account? Mr. Fox stated you have to have a separate checking account. Holt asked Ms. Randall to work with the Auditor.

Maximus Contract (2:59:43)

Mr. Chuck Malinowski reviewed the services Maximus offers Hamilton County for cost

allocation services. We primarily look at child support enforcement, Title IV-E and county welfare. Maximus uses federal standards to determine what general fund costs support those operations. Our fee is \$15,750 which is a contingency. We guarantee we will recover these funds or you don't owe us anything. We have had this contract enforce with Hamilton County for at least 20 years. We average about \$42,000 a year that comes back to the county. You are able to take those funds to spend them however you wish because they are general funds.

Holt stated we are considering a proposal from Huskey & Associates for a cost recapturing contract and the issue was raised if these two contractors overlap each other. Mr. Malinowski stated as he sees it there would be no overlap. Maximus has been awarded the contract by the State of Indiana to prepare Title IV-E billings for foster homes. Looking at the Huskey proposal as submitted, we would not make that proposal because we are not very optimistic that Title IV-E revenues are available for the juvenile detention facility. One of the things we could do with a juvenile detention facility, if it is the county's intent to house juveniles from other jurisdictions, we have a huge amount of experience for determining the per diem rates. Right now they have a proposal in front of the Tippecanoe County Commissioners to look at a cost based user fee analysis, where we would look at all the services the county provides and focus in on those things that generate revenue from those services, whether they are state mandated or not. Mr. Malinowski stated in regards to the juvenile detention center, we don't see any opportunities for recoveries because of the type of facility it is. Federal guidelines are clear that a juvenile detention facility is not eligible for Title IV-E funding. Altman asked if that same problem would exist if we are looking at other programming to defer detention, which is basically what we are doing with our center. Mr. Malinowski stated if the purpose of the facility is a foster care facility, is state licensed, has less than 25 juveniles in it and it is not a detention center, then it would qualify for that funding. If that is the route the county is taking, then we could look at reimbursement under Title IV-E. Holt stated our concern was that if we executed the contract with Maximus, we did not want to feel that we were tripping over ourselves or putting consultants at odds if we also executed a contract with Huskey. Mr. Malinowski stated the contract with Huskey will not affect their services. (3:09:30) Altman motioned to approve the Maximus contract. Dillinger seconded. Motion carried unanimously.

Central Indiana Emergency Training Center: (3:09:53)

Lt. Dave Dunbar introduced Capt. Clinton Crafton, Fishers Fire Department, who presented the proposal for the Central Indiana Training Center (CITEC). Capt. Crafton stated there is a need for a training facility that would serve all of Hamilton County, police and fire entities as well as all other governmental entities. This is a facility that will benefit all of central Indiana. We are a non-profit organization made up of representatives from the four major entities in Hamilton County. The proposal is to build a centrally located, multi-agency, multi-use training facility. We need this facility because of the growth of Hamilton County, which has doubled in the last 10 years. Estimated costs for the facility is \$15 million. Property costs are approximately \$800,000 based on property in Wayne or White River Townships. We are interested in property in Noblesville Township which is \$1.2 million for 160 acres. The county portion for Phase 1, which is purchase of the property, business plan and design of the facility is \$142,000. The county portion is 18% and includes the Sheriff's Department and all municipality that is not in cooperation with another municipality. This presentation has been presented to everyone in the county except the commissioners and county council. We have had tremendous support from

everyone and have received resolutions of support from almost everyone. They have spoken to Dick Lugar's office regarding the demonstration grant. A demonstration grant is merely a title placed on an appropriation to fast track it. There would be no appropriations that would meet this type of an outlay. It would have to come from FEMA, and there is no money available. (3:28:51) Chief Brian Lott stated they have received support from all the cities, towns and township trustees as a concept of what this facility is. As always, it is about money. There is a concern of double taxation. Being not for profit, they can receive grants. Senator Lugar's office said it was a great concept, but unless it is a state project there will be no funding. A lot of the grants that we can apply for is a commitment that it is going to happen. To receive that commitment is to buy property. The City of Carmel has said how much money do you want? They are ready to write a check. (3:31:48) Holt asked what do you estimate the annual cost of operation to be? Capt. Crafton stated until they do the business plan and the long range outlay, there is no answer for that. Based on other facilities and the ability to rent the facility out, those facilities do pay for themselves and the initial users end up using those facilities for free. The only cost outside of standard operating costs, will be instructors. Every department has a multitude of instructors on staff that would be able to teach the classes. We would be able to use these same people to teach outside entities to generate income. Holt asked if you would need a site manager? Capt. Crafton stated yes. We have discussed several options to share maintenance duties between the entities. Holt stated he could visualize us being a tenant by locating our Emergency Management Department to be located there. Capt. Crafton stated they have had interest from private companies to use the facility. Holt asked Mr. Howard if he could visualize how the county could be of assistance of how to figure out how to get over the hurdle on the taxing issue? Capt. Lott stated they have met with Mike Reuter and he recommended creating a separate entity to raise funds to pay for this facility. Holt asked if he was advocating special legislation for a layer? Capt. Crafton stated yes. Holt stated then you would have the dilemma that everybody contributed to the construction and then a municipality decided that they did not want to contribute to the next upgrade or an operating shortfall? Mr. Howard stated the double taxation depends on what marginal dollars you are talking about. If you are talking about COIT, it is not a double taxation. Altman stated this is probably one area that does not lend itself to double taxation. The Sheriff's department would be what we would use the Training center for. The county does not have the obligation to provide fire support, that is strictly a township, city, municipality function. She would be more concerned with coming up with an equitable method of doing an interlocal agreement that allocates out how the facility is used with respect to statutory provision of services. In that regard we don't have double taxation because the county is required by constitution to provide Sheriff's service. Capt. Lott stated residents pay into the general fund of Fishers and our portion comes out of Fishers and then the residents pay into the general fund for the county and the county takes out of the coffers for the same amount, don't those citizens pay more? Mr. Howard stated it depends on what revenue stream you are using. Mr. Howard stated the best way to allocate it would be per capita on the number of people who are being trained at the facilities. Altman would question how the county was fourth in line, if is half fire and half police and then the half that is police is the Sheriff, then we are clearly less than the users of the facility. If we do a county wide facility we do a sound interlocal agreement that equitably allocates the user fees for the facility proportionate to responsibility. Dillinger stated the primary problem is the same as why the communication center did not go, it is because until it is politically possible, it is not possible. Capt. Lott stated they have resolutions from every city and town supporting the concept. Dillinger stated it needs to be more in depth than just

supporting the concept. Holt stated we all agree this is an admirable goal and you have done it by the numbers. Holt stated he would like to do our part to move this forward, is there a form resolution? Capt. Crafton stated he does not have one with him, but will get one to the Commissioners. Holt asked him to get the commissioners the form resolution to look at for the next meeting. Altman stated she is concerned that you are asking for property and specific dollars before you have a business plan. She is very concerned that a facility will be built that can not be operated. Until you put those numbers and allocate a per capita cost to train, compared to other training costs and availability, you are spinning wheels. Altman stated she supports the concept of centralized training, but she can not support a \$15 million project. The better question would be if everybody could contribute money to hire a consultant to put the numbers together to make sure the project is going to fly. Capt. Lott stated the corporation has no money and to do a business plan it will cost us some money. Dillinger asked how long is the deal on the land good? Capt. Crafton stated the dream for us would be to have the property purchased. We have to be able to come up with something to put a hold on that property. The business plan is important, but if we lose the option on the property then we have taken a huge step back. If we could come up with a small amount of money to do the business plan and put a hold on the property at the same time would be a step forward. Dillinger stated he believes if you get the land, the rest of it will come. Capt. Lott that they have been told they want some commitment from us and the purchase of the land is one of those benchmarks. Capt. Crafton stated they will send the resolution to the Commissioners. Since we are on the county council agenda in March, should we wait for the Commissioners to discuss this and come to the council in April or go to the March county council meeting? (3:49:58) Dillinger motioned that we support the concept of what you are trying to do and it would be our intentions once things are worked out satisfactorily that we would support that concept. Altman seconded. Motion carried unanimously. Holt stated they should go ahead and meet with County Council on March 5th.

Miller Rezone: (3:50:50)

Mr. Chuck Kiphart asked that the Miller rezone be tabled until the next meeting. Holt granted the request.

Holt called a break in the meeting. (3:51:21) Holt called the meeting back to order at 4:00:34. Holt and Altman were present. Dillinger was absent.

Attorney (4:00:34)

Ordinance 2-24-03-A, Enacting Hamilton County Code:
Mr. Howard presented Ordinance 2-24-03-A, Enacting the Hamilton County Code. This ordinance will enact the re-codification of the county code. It provides an effective date of April 1, 2003. Altman motioned to approve first reading. Holt seconded. Motion carried unanimously.

McCordsville Interlocal Agreement:
Mr. Howard stated we previously approved an interlocal agreement with the Town of McCordsville for construction of a portion of 96th Street, Fall Creek Road and Bridge #262. There were some minor amendments and Mr. Howard requested approval of the amendment agreement. Altman motioned to approve. Holt seconded. Motion carried unanimously.

Grant of Permanent Right of Way - Musleh Property: (4:03:19)

Mr. Howard requested approval of the Grant of Permanent Right of Way with Reservation of Rights from Edward R. Musleh and Stacia L. Musleh at 131st Street and West Road. The Reservation of Rights goes to the Clay Regional Sewer District. Altman motioned to approve. Dillinger seconded. Motion carried unanimously.

Commissioner Committee Reports (4:04:21)

SR 431 and 96th Street:

Altman asked if her fellow commissioners had a chance to review a letter sent by Carmel to the State regarding 96th Street at SR 431? Altman motioned she would write a letter supporting the revisions and indicating that we would pursue at the time of installation the extension of the west bound lane to Haverstick. Dillinger seconded. Motion carried unanimously.

E911:

Dillinger stated the E911 Review Board has met, a sub-committee has been set to revisit the specs of the RFP. The Review Board will meet on March 11th to hear their findings.

Snow Emergencies: (4:05:51)

Altman stated when we called the first snow emergency we were concerned about how it affected the county, whether we had levels. We determined that we did not have levels of emergency. We were not clear what it all affected. Altman suggested reviewing the current ordinance on snow emergencies. Altman volunteered to work with Sheriff Carter to come up with recommendations on how we might amend our ordinance. Holt suggested in addition that Bob Hendericks be included. Holt asked Sheriff Carter if someone from the municipal end should be involved, because of the confusion we create with the municipalities? Sheriff Carter stated he thinks that would be a fantastic idea. Sheriff Carter stated he will facilitate that. Dillinger suggested a representative from the highway department be included. Dillinger and Holt suggested Brad Davis. Sheriff Carter asked if there is a time line? Commissioners stated sometime in the Spring.

Administrative Assistant (4:09:25)

Snow Emergency Proclamation:

Mr. Fred Swift asked the Commissioners to re-sign the Snow Emergency Proclamation for the record. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Wage Determination Committee Appointment - Carmel Clay Schools:

Dillinger motioned to accept the Carmel Clay Schools recommendation of Marilyn Greenfield as our appointment to Wage Determination Committee. Holt seconded. Motion carried unanimously.

Wage Determination Committee Appointment - Marion Adams Schools:

Dillinger motioned to appoint Martin Samuels to the Wage Determination Committee for Marion Adams Schools. Holt seconded. Motion carried unanimously.

Altman asked the Commissioners to consider Mr. Lafever's request to serve on future wage determination committees.

American Red Cross Month: (4:12:20)

Mr. Swift stated March is American Red Cross month and they have requested the County allow them to fly one of their flags on our flag poles. Dillinger motioned to approve. Holt seconded. Motion carried unanimously.

Sheriff: (4:13:03)

Code Red Response Directive:

Sheriff Carter stated he called a summit of all law enforcement officials and fire chiefs within the county to address the ongoing threat regarding Homeland Security. A representative from every fire and police department was present, along with representatives from the Emergency Management Agency, the Health Department and the Surveyor's office to discuss what plans we currently have and what to do in event of a threat. Since that time Sheriff Carter has created a plan for the county in the event we go to Code Red nationally. Sheriff Carter presented the draft document for the Commissioners to review. Altman asked when it hits the county level is there an entity that has been previously named to coordinate all county activities? Sheriff Carter stated theoretically that body is Bob Hendericks for us. Very limited information was passed down to us over the last 2 weeks. He hopes during the debriefing process that is voiced. The full information did not get down to us and we are not expecting it to in the future. If it is a localized threat, he would speculate that we would be apprised of the threat and where it may be. Altman asked if Mr. Hendericks coordinate the municipalities also or just Hamilton County? Sheriff Carter stated not pre-event, only post event. We will have representatives from the Sheriff's office at the other EOC's operations center so we have that direct communication link from center to center. They will in turn provide folks to us. We will have a representative in all three centers from each municipality in the county. Altman asked if we will be decentralized in that effort? Sheriff Carter stated as much as we can. Sheriff Carter stated they will continue to work on a comprehensive plan for the Judicial Center and Historic Courthouse. He hopes by the May meeting he will have documents to look at for this building and other county complexes. Holt stated those ideas need to go to the Security Committee. Holt stated procedurally it goes Security Committee, Board of Commissioners, County Council. When do you want to be in front of the Security Committee? Sheriff Carter stated the sooner the better. Mr. Swift will coordinate a meeting.

Inmate Summer Work Crews: (4:18:58)

Captain Dan Stevens presented the proposal for the implementation of the inmate work crews for this summer. Altman motioned to adopt the proposal on the work crews. Dillinger seconded. Motion carried unanimously.

Auditor (4:21:11)

2002 Employee Gross Wages:

Ms. Robin Mills presented the list of the 2002 Hamilton County Employee Gross Wages. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Recorder's Bond:

Ms. Mills requested acceptance of the Recorder's Bond for Jennifer Hayden. Dillinger

motioned to approve. Altman seconded. Motion carried unanimously.

Liability Trust Claims: (4:21:01)

Ms. Mills requested approval of Liability Trust Claims. 1) Janssen Veterinary Clinic - \$426.55. Altman motioned to approve. Dillinger seconded. Motion carried unanimously. 2) Miller's Auto Body - \$567.87. Altman motioned to approve. Dillinger seconded. Motion carried unanimously. 3) Bloomington Ford, Inc. - \$7,995.00. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Gallagher Bassett Contract: (4:24:05)

Ms. Mills requested approval of the 2003 Gallagher Bassett Contract. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Clerk's Monthly Report:

Ms. Mills requested approval of the January 2003 Clerk's Monthly Report. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Acceptance of Bonds/Letters of Credit - Drainage Board:

Ms. Mills requested acceptance of Bonds and Letters of Credit for the Drainage Board. 1) HCDB-B99006A - Fidelity and Deposit Company of Maryland Subdivision Bond No. 08152166 for Village Farms Sec. B and C - storm sewer, erosion control, monuments and markers and Springmill Ditch Improvements in the amount of \$10,000 (Rider reducing developer's original surety from \$202,972.00 to \$10,000.00. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Vendor Claims:

Ms. Mills requested approval of Vendor Claims to be paid February 25, 2003. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Payroll Claims:

Ms. Mills requested approval of the Payroll Claims for the period of February 1 thru February 15 to be paid February 28, 2003. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Dillinger motioned to adjourn. Altman seconded. Motion carried unanimously. (4:25:18)

Commissioners Correspondence:

Snow Emergency Proclamation
Lobbyist Contract Letter to City of Noblesville
Indiana Association of County Commissioners Fax Notice of Statehouse Rally

Beam, Longest and Neff, LLC
96th Street & Towne Road Intersection Improvement

DNR Floodplain Ordinance Approval Ordinance No. 2-10-03-A

IDEM Notice of Sewer Permit Application:

Cherry Creek Estate, Sections 1A & 1B - Carmel
Highlands Prairie, Section One - Noblesville
The Estates of Meadowbrook, Section Two - Fishers
Ridgefield, Section 3 - Fishers
Village of West Clay, Section 10004-A - Carmel
Wexley Chase - Carmel

IDEM Wastewater Management Business Permits:

Honey Dipper's Inc. - Noblesville
Beaver Septic & Sewer, Inc. - Noblesville
Fluid Waste Services, Inc. - Fishers
Powers Septic & Sewer - Noblesville

IDEM First Administrative Amendment:

E&B Paving Manufacturing Operation

IDEM Notice of Decision - Approval:

Noblesville Generating Station

IDEM Notice of Construction Permit Applications:

Aberdeen Bend Subdivision - Clay Township
Village of Mount Carmel, Tenth Section - Carmel
Village of West Clay Section 10004-A - Carmel
The Lake at Prairie Crossing, Section 2 Revision - Noblesville

IDEM Phase II Acid Rain Permit:

Noblesville Generating Station

Present

Christine Altman, Commissioner
Steven C. Dillinger, Commissioner
Steven A. Holt, Commissioner
Robin M. Mills, Auditor
Kim Rauch, Administrative Assistant to Auditor
Fred Swift, Administrative Assistant to Commissioners
Michael A. Howard, Attorney
Doug Carter, Sheriff
Virginia Hughes, Administrative Assistant to Highway Engineer
Patricia Ogden, Highway Public Service Representative
Tom Stevens, Highway Department Consultant
Jim Neal, Acting Highway Engineer
Steve Broermann, Highway Technical Engineer
Mark Fisher, Highway Technical Engineer
Christopher Burt, Highway Staff Engineer
Tim Knapp, Highway Right-of-Way Specialist
Joel Thurman, Transportation Development Engineer

Matt Knight, Highway Staff Engineer
Mike McBride, Small Structure Staff Engineer
Faraz Hahn, Highway Department
Kyle Ritter, Scout Merit Badge
Jeannine Ritter, Scout Merit Badge
Sean Ritter, Scout Merit Badge
Becki Wise, USI
Floyd Burroughs, FEBA
Julie Crask, Personal
Diana Lamirand, Noblesville Ledger
Kent Downey, United Consulting Engineers
Jim Gillaspay, Indianapolis Star
Judy Levine, County Council
Charles Malinowski, Maximus
Scott Warner, Buildings & Grounds
Mike Kevven, DLZ
Ken Slaninvea, DLZ
Gary Murray, Paul I. Cripe, Inc.
Cindy Ramsey, Humane Society
John Ditslear, Insurance
Jeff Fox, Nyhart
Sheena Randall, Human Resources
Trudy Weddington, Miller Rezoning
Dave Dunbar, Fishers Police Department
Captain Clinton Crafton, Fishers Fire Department
Major Mike Allen, Westfield Police Department
Major John Etter, Carmel Police Department
Chief Brian Lott, Fishers Fire Department
Assistant Fire Chief Bob Smith, Westfield Fire Department

APPROVED
HAMILTON COUNTY BOARD OF COMMISSIONERS